



Memorandum

To: Elections Commission
From: John Arntz, Director
Date: January 2, 2020
RE: **Waiver Allowing City Employees to Assist the Department of Elections with the March 3, 2020, Consolidated Presidential Primary Election**

This memorandum requests that the Elections Commission approve the Department of Elections' (Department) request for the Board of Supervisors to waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections, in relation to the March 3, 2020, Consolidated Presidential Primary Election. The Department seeks a general waiver of this prohibition so that the Department is able to utilize the services and expertise of City personnel when necessary; however, the Department presently expects to require the assistance of approximately 10 people from other City departments.

The Department will require technical assistance to upload the vote tallies contained in the memory cards that will be transported from each polling place to City Hall, as well as preparing the information for results reporting. The memory cards record the voting results from vote tabulation equipment in each polling place. The City personnel will assist in uploading the voting information contained inside the memory cards into the central count system located in the Department's computer room in City Hall, Room 48.

Although the uploading of the voting information from the memory cards requires a few hours of activity after the polls close, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The Department seeks to conduct every election exclusively with its permanent and temporary personnel. However, the Department finds it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, after considering staffing needs for the March 3, 2020, Consolidated Presidential Primary Election, I recommend that the Elections Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allow City personnel to assist the Department.

The Department requests that this be a general waiver in order to provide flexibility in planning for the election. Still, at this time the Department has identified the need for the assistance of approximately 10 people from other City departments, which are indicated in the attached list.